

What Prevented Violence in Jewish Settlements in the Withdrawal from the Gaza Strip: Toward a Perspective of Normative Balance*

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I. INTRODUCTION

In August of 2005, the Israeli government uprooted Jewish settlers from the Gaza Strip in twenty-one communities, many of which had existed for decades. The world's attention focused on the settlements, both because of the historic importance of the withdrawal from the Gaza Strip, and because of the understanding that the withdrawal challenged the deeply held historic and religious beliefs of settlers and their supporters throughout Israel. The settlements in Gaza were not simply representative of the Israeli presence and the country's desire for security; they were outposts in which strongly ideological settlers expressed their belief in the Biblical connection between the Land of Israel and the modern Jewish nation.¹ The withdrawal from the

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¹ See Emmanuel Sivan, *The Enclave Culture*, in FUNDAMENTALISM COMPREHENDED 11, 11 (Martin E. Marty & R. Scott Appleby eds., 1995) noting that:

The imminent messianism of Gush Emunim is placed at the service of sacred entities: the Land of Israel and the State of Israel. What results is a total sacralization of politics As the Gush is certain of the sanctity of its tools (arms, settlements), assured of oncoming success if only sufficient help from down below would be given to divine Providence All the more so as the alternative is nothing short of catastrophic: loss of the historical opportunity to hold on forever to core areas of Eretz Yisreal, postponement of the Redemption for lack of determined human prodding Hence its insistence on the massive settlement of Judea and Samaria.

Gaza Strip was in many ways a more general test of how these deeply religious and nationalist settlers would react to the government's new policy of disengaging from significant portions of the West Bank and the Gaza Strip.

There appeared good reason to expect concerted resistance to the Israeli army and police, even serious violence and insurrection. The settlers held beliefs that linked the retention of areas of the Land of Israel, including the Gaza Strip, to the messianic redemption of the Jewish people.² Many were associated with a particular religious ideology that placed withdrawal from these territories among the most serious religious violations, equating withdrawal with murder or apostasy.³ In this context, with the settlement enterprise not just challenged but under real attack, many Israelis expected bloodshed. In a September 2004 poll reported upon in the Israeli daily

Id. at 44; see also Menachem Friedman, *Jewish Zealots: Conservative Versus Innovative*, in *FUNDAMENTALISM IN COMPARATIVE PERSPECTIVE* 159, 171–172 (Lawrence Kaplan ed., 1992).

² See Lawrence Susskind, Hillel Levine, Gideon Aran, Shlomo Kanial, Yair Sheleg & Moshe Halbertal, *Religious and Ideological Dimensions of the Israeli Settlements Issue: Reframing the Narrative?*, 21 *NEGOT. J.* 177 (Apr. 2005). Aran writes:

During the heyday of the Jewish settlement project in the disputed territories, it was suffused with religious messianic spirit . . . the key word among Gush Emunim's hard core was redemption In fact, the great success of the settlement project was fundamentally instrumental in changing the face of Jewish religiosity in general, making it essentially messianic

Id. at 184; see also AVIEZER RAVITZKY, *MESSIANISM, ZIONISM, AND JEWISH RELIGIOUS RADICALISM* 79–144 (Michael Swisrky & Jonathan Chipman trans., 1996); Sivan, *The Enclave Culture*, in *FUNDAMENTALISM COMPREHENDED*, *supra* note 1, at 48 (noting that: “For Gush-Emunim not only is Eretz-Israel sacred and the center of the creation, but Judea and Samaria are its backbone, with Jerusalem and, in it, the Temple-Mount, at its very core.”).

³ This is the principle of *Ye'Hareg Ve'Al Ya'Avor*, literally translated as “You should be killed, rather than transgress.” We explain this command in more detail later in the paper. For discussion of the implications of this perspective see Gideon Aran, *The Father, The Son, and The Holy Land: The Spiritual Authorities of Jewish-Zionist Fundamentalism in Israel*, in *SPOKESMEN FOR THE DESPISED: FUNDAMENTALIST LEADERS OF THE MIDDLE EAST* 294, 313 (R. Scott Appleby ed., 1997) (stating: “When the possibility of withdrawal from conquered territories first publicly arose in 1974–1975, he [Rabbi Zvi Yeuda Kook] issued the authoritative call ‘Be killed rather than transgress.’ This is the most far-reaching rabbinic injunction, revered in the halakha for the most extreme cases: incest, idol worship, and murder.”); DAVID WEISBURD, *JEWISH SETTLER VIOLENCE* 23, 107, 108, 125 (1989).

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newspaper *Yediot Aharonot*, nine out of ten Israelis feared “settler violence toward the army and police forces.”⁴ The article noted that the “results would be presented to a national council which would discuss the question: ‘Are we facing a danger of civil war?’”⁵ The Israeli press during this period was, in turn, full of dark predictions and dire prophecies regarding the withdrawal.⁶ Such concerns were reinforced by academic studies that recognized the potential for Jewish settler violence.⁷

Events leading up to the withdrawal heightened such fears. There were many street protests in Israel, often shown on television and reported in the print media and on the radio. Thousands of protesters, mostly teenagers, were arrested in illegal demonstrations.⁸ Two Israelis committed suicide to protest the withdrawal by lighting themselves on fire.⁹ In the most serious and tragic

⁴ Attila Somfelvi, *Poll: The Majority Believes the Settlers will Use Violence During Evacuation*, YNET NEWS ONLINE, Sept. 5, 2004, <http://www.aad-online.org/2004/Englishsite/Englinks/25-11en/aad22/1.htm>.

⁵ *Id.*

⁶ See, e.g., Leslie Susser, *Days of Rage*, JERUSALEM POST, Mar. 21, 2005, at 12; Benziman Uzi, *The Stench of Panic*, HAARETZ NEWS ONLINE, Apr. 14, 2005, <http://www.haaretz.com/hasen/pages/ShArt.jhtml?itemNo=564788>; Yoel Marcus, *Five Evacuation Nightmares*, HAARETZ NEWS ONLINE, June 24, 2005, <http://www.haaretz.com/hasen/pages/ShArt.jhtml?itemNo=591649>; Amos Arel, *Analysis: Escalation Everywhere*, HAARETZ NEWS ONLINE, June 30, 2005, <http://www.haaretz.com/hasen/pages/ShArt.jhtml?itemNo=594110>; Etgar Lefkovits, *Three Held for Planning to Sell Weapons to Foil Gaza Pullout*, JERUSALEM POST, Mar. 25, 2005, at News 1; Etgar Lefkovits, *“Rabin is Waiting for Sharon” Sticker Deemed Incitement*, JERUSALEM POST, Mar. 25, 2005, at News 3; Matthew Gutman, *IDF Toughens Stance on Radical Settlement Activists*, JERUSALEM POST, May 2, 2005, at News 3; Merav Levi, *The Disengagement Process can Deteriorate into Bloodshed*, NFC NEWS ONLINE, July 3, 2005, <http://www.nfc.co.il/archive/001-D-74368-00.html?tag=22-45-33> (noting that: “The disengagement process will deteriorate into violent behavior, and its inevitable outcome is that there will be bloodshed, according to research conducted by Dr. Udi Lebel from the Ben Gurion University, sponsored by the Middle East Studies Center at the London University.”) (translated from Hebrew).

⁷ See, e.g., EHUD SPRINZAK, *BROTHER AGAINST BROTHER* 300–306 (1999); WEISBURD, *supra* note 3, 67–72, 133–136; IAN S. LUSTICK, *FOR THE LAND AND THE LORD: JEWISH FUNDAMENTALISM IN ISRAEL* 66–72 (1988).

⁸ Tal Rosner, *Total of 3,864 Anti-Disengagement Arrests*, ISRAEL REPORTER NEWS ONLINE, Aug. 28, 2005, <http://israelreporter.com/index.php/2005/08/28/>; Tal Rosner, *688 Minors Detained Over Pullout Protest*, YNET NEWS ONLINE, Sept. 8, 2005, <http://www.ynetnews.com/articles/0,7340,L-3125034,00.html>.

⁹ Jonathan Lis, *U.S. Oleh [Immigrant] Sets Himself Alight to Protest Pullout*, HAARETZ NEWS ONLINE, Sept. 1, 2005, <http://www.haaretz.com/hasen/pages/ShArt.jhtml?itemNo=619622&contrassID=19>;

acts of violence, Jewish terrorists from settlements in the West Bank murdered four Israeli Arab citizens and four Palestinian Arabs from the West Bank in two terrorist attacks.¹⁰

But when the withdrawal actually came, the dark predictions of violence were unfulfilled. The withdrawal took only seven days, lasting from August 15–23, 2005. Eight thousand people were removed from their homes. Twenty-one communities were evacuated and destroyed. There was little physical confrontation between the settlers and the army and police. The predominant images in the local and international media depicted settlers who were pained to leave their homes, but offered little more than passive resistance to the Israeli security forces. Typical scenes included religious settlers, sometimes still wearing the phylacteries that observant Jews put on each morning, escorted away by soldiers or police (Picture 1),¹¹ or young women crying and carried away from their homes (Picture 2).¹² The violence that had been feared did not come to pass. Rather, the painful portraits of some Israelis (settlers) asking others (police and army officers) how they could remove families from their homes dominated the images of the withdrawal (Picture 3).¹³

Woman at Netivot Roadblock Sets Herself on Fire, ISRAEL INSIDER NEWS ONLINE, Aug. 17, 2005, <http://web.israelinsider.com/Articles/Briefs/6338.htm>.

¹⁰ Ahiya Raved & Yaron Druckman, "Vile Act by Terrorist," YNET NEWS ONLINE, Apr. 8, 2005, <http://www.ynetnews.com/articles/0,7340,L-3122725,00.html>; Efrat Weiss, *IDF Increases Presence in West Bank*, YNET NEWS ONLINE, Aug. 18, 2005, <http://www.ynetnews.com/articles/0,7340,L-3129128,00.html>.

¹¹ BAMBILI NEWS, Online Image, Gaza Strip, Morag, Aug. 17, 2005, http://www.bambili.com/b_gallery/view_pic_id.asp?pic_id=35652&my_lang=2.

¹² BAMBILI NEWS, Online Image, Gaza Strip, Neve Dekalim, Aug. 17, 2005, http://www.bambili.com/b_gallery/view_pic_id.asp?pic_id=35686&my_lang=2.

¹³ BAMBILI NEWS, Online Image, Gaza Strip, Neve Dekalim, Aug. 17, 2005, http://www.bambili.com/b_gallery/view_pic_id.asp?pic_id=35713&my_lang=2.

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Picture 1: Israeli soldiers remove a settler wearing phylacteries and carrying a prayer book.



Picture 2: Israeli soldiers carry away a female settler.



Picture 3: A settler attempts to convince soldiers that it is wrong to move children from their homes.



In this Paper, we use data collected in a field study in the settlements in the weeks and months before the withdrawal in the Gaza Strip to examine why the reality of the withdrawal differed so markedly from the expectations of many observers. Our main question is why was there so little actual violence in the withdrawal from the Gaza Strip? If the settlers had radical ideas that would justify and encourage violence, why did violence not occur when the government uprooted settlements? But we are also concerned with the implications of our study for possible future Israeli government plans to uproot settlements in the Biblical regions of Judea and Samaria, or what is commonly termed today the “West Bank.” Can we expect these future actions to go as smoothly as those in the Gaza Strip? Is there reason to expect more violence in these areas? To answer these questions we draw upon additional data we collected in West Bank Jewish settlements before and after the withdrawal from the Gaza Strip.¹⁴

¹⁴ The importance of these questions is noted in the summary of a two-day conference at Harvard Law School in October of 2004, titled: “Past, Present, and Future of the Jewish West Bank and Gaza Settlements: The Internal Israeli Conflict.” See Robert Mnookin, *The Internal Israeli Conflict: The Past, Present and Future of the Jewish West Bank and Gaza Settlements*, 21 NEGOT. J. 165 (2005).

Our study shows that Jewish settlers in these areas hold beliefs that potentially justify and encourage violence. Nonetheless, Jewish settlers in the Gaza Strip also voiced what can be defined as countervailing norms that discourage violence with other Israelis and encourage lawful behavior. We argue that this creates a context of “normative balance” that restrained potential violence in the Gaza Strip. Our examination of data from the West Bank, however, suggests that normative balance is not as strongly established and leads us to expect greater violence in challenges to settlement in that region. We begin our Article by placing our study in historical context, and then describe our study and the findings it generated. We then turn to the implications of our study both for future withdrawals in Israel, and for preventing violence more generally in conflicts with strongly ideological subcommunities.

II. HISTORICAL AND POLITICAL BACKGROUND

The Jewish settlement enterprise in the West Bank and the Gaza Strip began with the imposing Israeli victory of the 1967 Israeli/Arab War and the resulting capture of territories that had strong associations with the Biblical past of the Jewish people.¹⁵ While these territories (particularly the West Bank, which included the Biblical areas of Judea and Samaria) were often the focus of early Zionist aspirations, there was little practical discussion of their inclusion in the Jewish state before the 1967 Israeli/Arab War. But the war and the resulting occupation of these territories sparked a revival of both traditional religious and secular ideologies for the expansion of Jewish sovereignty in the historic Land of Israel. Nonetheless, the organization of those sentiments into a meaningful political movement did not come until

While presentation topics covered a range of issues relating to the settlements, three broad themes arose from the conference. First, participants agreed that it is important, if not fundamental, to understand the perspectives of the national religious settlers who are the driving force behind the settlement movement The Israeli government can lessen opposition to withdrawal by showing the settlers empathy and reassurance, but only if government officials first achieve a true understanding of the settlers’ concerns.

Id. at 165–166.

¹⁵ For detailed discussion of the history of the settlement enterprise, see, for example, DOV SCHWARTZ, *FAITH AT THE CROSSROADS: A THEOLOGICAL PROFILE OF RELIGIOUS ZIONISM* (Batya Stein trans., 2002); GERSHON SHAFAT, *GUSH EMUNIN: THE STORY BEHIND THE SCENES* (1995) (in Hebrew).

after the 1973 Yom Kippur War.¹⁶

In the beginning of 1974, an extraparliamentary political movement, "Gush Emunim" (Block of the Faithful), was established.¹⁷ Gush Emunim was founded by students of Rabbi Zvi Yehuda Kook, the spiritual leader of the Merkaz-HaRav Yeshiva in Jerusalem.¹⁸ The movement had from the outset a strong messianic element grounded in the view of redemption as a function of settling the Promised Land. Gush Emunim could be distinguished from earlier religious Zionist groups in that it not only encouraged the settlement of the land, but defined the retention of the Biblical areas of Judea and Samaria as a religious requirement that could not be abandoned. For Rabbi Kook and his students, Israeli control of Judea and Samaria was not merely a desirable outcome, but an absolute value which could not be violated under any circumstances.¹⁹

¹⁶ See Gabriel A. Almond, Emmanuel Sivan & R. Scott Appleby, *Fundamentalism: Genus and Species*, in FUNDAMENTALISM COMPREHENDED 399 (Martin E. Marty & R. Scott Appleby eds., 1995).

The first nuclei out of which *Gush Emunim* formed took shape after the 1967 war when what seemed to be the miraculous victories of the Israeli forces were viewed as ushering in the messianic era. The Yom Kippur War in 1973 made these prospects seem problematic, but it was interpreted by Rabbi Kook the younger as meaning that Jews must play an active role in assuring the triumph of the messianic era The one mitzvah [commandment] selected by the Gush as the most important in the age of Redemption was the reestablishment of the Jews in the entire land of biblical Israel. The stringent behavioral requirement was to establish settlements on the West Bank and the Gaza Strip.

Id. at 419; see also Sivan, *The Enclave Culture*, in FUNDAMENTALISM COMPREHENDED, *supra* note 1, at 40 (noting that for the Gush, "[the] 1973 war . . . was a setback on the way to redemption, after the huge step forward taken in 1967; it was accounted for by the insufficient effort made toward the settlement of the recently 'liberated' parts of the Holy Land. The founding and rise of the Gush is closely linked with this 'setback.'").

¹⁷ For more information about the establishment of the Gush Emunim movement see, for example, WEISBURD, *supra* note 3, at 18–22, 25; SPRINZAK, *supra* note 7, at 145–155; DANNY RUBINSTEIN, ON THE LORD'S SIDE: GUSH EMUNIM (Hakibbutz Hameuchad 1982) (in Hebrew); Karen Tenenbaum & Ehud Eiran, *Israeli Settlement Activity in the West Bank and Gaza: A Brief History*, 21 NEGOT. J. 171, 171–173 (2005).

¹⁸ For a description of the spiritual leaders of Gush Emunim, educated in the Merkaz HaRav Yeshiva, see Samuel C. Heilman, *Guides of the Faithful: Contemporary Religious Zionist Rabbis*, in SPOKESMEN FOR THE DESPISED: FUNDAMENTALIST LEADERS OF THE MIDDLE EAST 328, 328–337 (R. Scott Appleby ed., 1997).

¹⁹ See generally DOV SCHWARTZ, RELIGIOUS ZIONISM: BETWEEN LOGIC AND MESSIANISM, 59–61, 130–131, 144–145 (1999) (in Hebrew); SCHWARTZ, *supra* note 15, at 116–124; Chaim I. Waxman, *Messianism, Zionism, and the State of Israel*, 7 MODERN JUDAISM 175, 185–186 (1987); LUSTICK, *supra* note 7, at 83–85.

This idea is apparent in the link that Gush Emunim made between the messianic redemption of the Jewish people and the new settlements that it would help create. From the founding of the modern Zionist enterprise in Israel, the idea of redemption of the people of Israel through settling the land was an important theme, especially among religious Zionists. Indeed, the official prayer for the State of Israel of the Israeli Chief Rabbinate, penned by Shai Agnon, the 1966 Nobel prize-winning Israeli novelist, notes that the establishment of the Jewish State is the “first flowering of our redemption.” But for Gush Emunim, the idea of redemption was not part of a distant yearning of a people that had reestablished a national homeland, rather, it was something directly linked to the actions of its proponents in settling the lands captured from Jordan and Egypt in the 1967 War.

In turn, following Rav Zvi Yehuda Kook, Gush Emunim defined the retention of these territories as a principal *Ye’Hareg Ve’Al Ya’Avor*, for which a Jew must be willing to be “killed rather than transgress.”²⁰ The application of this Talmudic dictum to settlement in the territories captured in 1967 had significant meaning for this community of devoutly religious Jews. A dominant legal principle that is applied to observance of Jewish commandments is what is commonly referred to as the principal of *Pikuach Nephesh*, the saving of life.²¹ The rabbis of the Talmud argue that Jewish Law was created to preserve life, and thus when life is threatened the individual is not only allowed but required to transgress the commandments.²² For example, a person is obligated to violate the Sabbath to save a life. But there are very specific limits to this principle, and these are the commandments defined as *Ye’Hareg Ve’Al Ya’Avor*. By placing the issue of retention and settlement of the territories as *Ye’Hareg Ve’Al Ya’Avor*, Rabbi Kook and Gush Emunim established withdrawal from these areas as similar to murder, apostasy and sexual incest, the three main sins which one is not allowed to commit to save one’s own life or the life of others.

In the 1970s and early 1980s, Gush Emunim played a central role in the development of settlements in the West Bank.²³ Indeed, Amana, the

²⁰ YAAKOV ZISBERG, *YE’HAREG VE’AL YA’AVOR IN THE STRUGGLE FOR ERETZ YISRAEL [the Land of Israel]: RABBI KOOK’S PRINCIPLE* (2003) (in Hebrew), available at http://www.kipa.co.il/upload/users_files/1020/pdf.; Aran, *supra* note 2, at 313; WEISBURD, *supra* note 3, at 23, 107.

²¹ Ezra Kopelowitz & Matthew Diamond, *Religion that Strengthens Democracy: An Analysis of Religious Political Strategies in Israel*, 27 THEORY & SOC’Y 671, 691–699 (1998); Clive Jones, *Ideo-Theology and the Jewish State: From Conflict to Conciliation?*, 26 BRIT. J. MIDDLE E. STUD. 9, 14 (1999); LUSTICK, *supra* note 7, at 95, 109.

²² Kopelowitz & Diamond, *supra* note 21, at 695–696.

²³ For a description of the history of the Gush Emunim settlement movement, see

settlement movement of Gush Emunim, was instrumental in creating such settlements as Elon Moreh, Ofra, Kedummin, and Beit El, often with initial resistance from the Israeli government. By the 1980s, however, Gush Emunim as a political movement declined, most of its prominent leaders having moved on to other political or extraparliamentary groups. Nonetheless, the ideological principles of the group, including the centrality of the Biblical Land of Israel and the right of the Jewish people to settle the land, were firmly established in the more general settlement movement.

The settlement movement was in turn aided by strong government support by Prime Minister Menachem Begin in the 1980s.²⁴ In this regard, Ariel Sharon, later to lead the government that would uproot Gaza settlers, was critical in providing essential resources and infrastructure for the establishment of settlements at that time.²⁵ By the mid-1980s, the population in Judea and Samaria approximated 46,000 Jewish settlers in 113 settlements.²⁶ In 1992, there were about 137 settlements with a population of 107,000 settlers, including those living in the Gaza Strip.²⁷ By 2004, approximately 140 Jewish settlements existed in the West Bank and Gaza Strip, with a population of approximately 230,000 people.²⁸ Since the mid-1980s the Yesha (Judea, Samaria and Gaza) Council has functioned as the formal leadership organization of the settlement movement.²⁹

WEISBURD, *supra* note 3, at 24–48; LUSTICK, *supra* note 7, at 42–71.

²⁴ Tenenbaum & Eiran, *supra* note 17, at 172–173.

²⁵ See Neve Gordon, *The Triumph of Greater Israel*, NAT'L CATH. REP., Nov. 12, 2004, at 18 (noting that: "[A]s chair of the government's Settlement Committee he [Ariel Sharon] initiated a massive settlement enterprise in the Occupied Territories . . . within less than four years Mr. Sharon managed to build 62 new settlements, completely changing the landscape of the West Bank and Gaza Strip"); see also SHAFAT, *supra* note 15, at 331–357.

²⁶ LUSTICK, *supra* note 7, at 47.

²⁷ See ANAT ROTH, THE SECRET OF ITS STRENGTH: THE YESHA COUNCIL AND ITS CAMPAIGN AGAINST THE SECURITY FENCE AND THE DISENGAGEMENT PLAN 38 (2005) (in Hebrew), available at: <http://www.idi.org.il/english/catalog.asp?pdid=474&did=40> (English abstract only); THE MIDDLE EAST INSTITUTE FOR PEACE, ISRAELI SETTLEMENTS IN THE OCCUPIED TERRITORIES: SPECIAL REPORT 7 (2002), http://www.fmep.org/reports/special_reports/no11march2002/FMEP_SR_hebrew_March2002.pdf.

²⁸ See CENTRAL BUREAU OF STATISTICS, STATISTICAL ABSTRACTS OF ISRAEL 2004 No. 55, 2–27 (2004); Foundation for Middle East Peace, Settlements in the West Bank, http://www.fmep.org/settlement_info/stats_data/west_bank_settlements.html.

²⁹ The name Yesha is an acronym using the initials of the Hebrew words for Judea, Samaria and Gaza. Its literal meaning in Hebrew is "salvation." For a description of the role of the Yesha Council in the settlement movement see David Newman, *From*

A. Jewish Settler Violence

Any Israeli settlement disengagement plan has to consider the potential for active—and violent—resistance from settlers, not only against the Israeli Army and police, but against the Arab population as well. There is an unfortunate precedent of settler violence when the settlement enterprise has appeared threatened. Following the Camp David Accords with Egypt in 1978, a Jewish settler underground group carried out a series of violent acts against Arabs in the West Bank.³⁰ Police charged the group with planning to blow up the Dome of the Rock on Jerusalem's Temple Mount, attempts to assassinate the Arab mayors of West Bank cities, a terrorist attack on the Islamic College in Hebron in which three Palestinian civilians were murdered and thirty-three were injured, and attempting to blow up five buses with Arab passengers in East Jerusalem.³¹ The members of the group were eventually apprehended and sentenced to prison.³²

Violence by individuals associated with the settlement movement has rocked Israeli society at various points. The killing of Emil Greenzweig³³ at a "Peace Now"³⁴ rally in Jerusalem in February 1983 shocked many Israelis

Hitmachalut to Hitnatkut: The Impact of Gush Emunim and the Settlement Movement on Israeli Politics and Society, 10 ISRAEL STUD. 192 (2005).

³⁰ Ehud Sprinzak, *Fundamentalism, Terrorism, and Democracy: The Case of Gush Emunim Underground*, 5–8 (The Wilson Center, 1986); Joel Beinin, *Is Terrorism a Useful Term in Understanding the Middle East and the Palestinian-Israeli Conflict?*, 85 RADICAL HIST. REV. 12, 15 (2003); Ehud Sprinzak, *The Emergence of the Israeli Radical Right*, 21 COMP. POL. 171, 171, 176–177 (1989); Robert I. Friedman, *Inside the Jewish Terrorist Underground*, 15 J. PALESTINE STUD. 190, 194–197 (1986).

³¹ CrimC (Jer) 203/84 Israel v. Menachem Ben Livni and others, [1985] IsrDC 1989–90(3) 330, 331–332; Sprinzak, *The Emergence of the Israeli Radical Right*, *supra* note 30, at 176–177. For a detailed discussion of the Jewish Underground see HAGGAI SEGAL, *DEAR BROTHERS: THE WEST BANK JEWISH UNDERGROUND* (1988); SPRINZAK, *supra* note 7, at 145–179.

³² CrimC (Jer) 203/84, *supra* note 31, at 335–336, 435–445.

³³ To learn about Emil Greenzweig's life story see The Adam Institute for Democracy and Peace, *Emil Greenzweig in Memoriam*, 2002, <http://www.adaminstitute.org.il/emil.pdf>; Michel Feige, *Rescuing the Person from the Symbol: "Peace Now" and the Ironies of Modern Myth*, 11 HIST. & MEMORY 141, 141, 148 (1999).

³⁴ Peace Now was formed in 1978 as an extraparliamentary movement to pressure Prime Minister Menachem Begin's government to advance the peace accords and territorial compromises with Egypt. Later on, the movement was active in opposing Israel's 1982 invasion and occupation of Lebanon, and struggled against the Jewish settlements erected in the occupied territories. See SPRINZAK, *supra* note 7, at 177–179;

who believed that there were clear boundaries to political discord within Israel.³⁵ Greenzweig, a left wing activist and army officer, participated in a protest against the Likud government's failure to implement the recommendations of an investigative committee examining the massacres in Sabra and Shatila.³⁶ The committee laid some of the blame for the massacre on Defense Minister Ariel Sharon.³⁷ Right wing extremists confronted the protesters.³⁸ At the end of the demonstration, a hand grenade was thrown at the activists, killing Greenzweig and injuring nine others.³⁹ Though the perpetrator was not a settler, people generally associated the act with the settlement movement since a central component of Peace Now's political platform called for removal of settlers from the occupied territories.⁴⁰

The most violent incident by a Jewish settler occurred at the Cave of the Patriarchs in Hebron, holy to both Jews and Muslims as the place where Abraham and his descendents were buried. Baruch Goldstein, a Jewish physician from Kiryat Arba, a nearby Jewish settlement, opened fire on a group of Arab worshippers killing 29 and wounding 125 others.⁴¹ Soon

Michel Feige, *Peace Now and The Legitimizing Crisis of "Civil Militarism,"* 3 ISRAELI STUD. 85, 90-91 (1998). For the movement's current activities, see Peace Now, <http://www.peacenow.org.il/site/en/homepage.asp> (last visited Aug. 15, 2006).

³⁵ SPRINZAK, *supra* note 7, at 212-213; Feige, *supra* note 33, at 149-150.

³⁶ Lebanese Maronite Christians murdered hundreds of Palestinians in the Sabra and Shatila refugee camps near Beirut on September 1982. While the Israeli Army itself was not accused of participating in the massacre, some argued that the very presence of Israeli troops in the area enabled its occurrence and therefore then-Israeli Defense Minister Ariel Sharon had "personal responsibility", according to the Israeli investigative committee (the Kahan Commission). See THE KAHAN COMMISSION, REPORT OF THE COMMISSION OF INQUIRY INTO THE EVENTS AT THE REFUGEE CAMPS IN BEIRUT (Feb. 8, 1983), *available at* <http://www.caabu.org/press/documents/kahan-commission-part9.html>.

³⁷ Eyal Weisman, *Strategic Points, Flexible Lines, Tense Surfaces, Political Volumes: Ariel Sharon and the Geometry of Occupation*, 35 PHIL. F. 221, 232 (2004); Feige, *supra* note 34, at 90-91.

³⁸ For a detailed description of the demonstration see KAHAN COMMISSION, *Street Violence from the Right*, 12 J. PALESTINE STUD. 209 (1983).

³⁹ CrimA 154/85 Yona Avrushmi v. The State of Israel [1987] IsrSC 41(1), 94, 387.

⁴⁰ SPRINZAK, *supra* note 7, at 178: "Peace Now became the nemesis of Gush Emunim and Kach, triggering plenty of aggression and hate literature. This rivalry reached crisis proportions in 1983 when a Peace Now activist . . . was killed." *Id.*

⁴¹ Jacov Shamir & Khalil Shikaki, *Self Serving Perception of Terrorism Among Israelis and Palestinians*, 23 POL. PSYCHOL. 537, 543, 545 (2002); Benny Morris, *After Rabin*, 25 J. PALESTINE STUD. 77, 85 (1996).

afterwards, Israel outlawed the radical “Kach” political movement⁴² with which Goldstein was associated.⁴³

Perhaps the most prominent act of violence associated with the settlement movement was the assassination of Prime Minister Yitzchak Rabin by a young law student from Bar Ilan University, Igal Amir. While Amir was not a settler, he killed Rabin to prevent the Prime Minister from continuing with a policy of placing areas of the West Bank and Gaza Strip under Arab control. Amir described his ideology while testifying during his trial:

I didn't do it [Rabin's assassination] in order to stop the Peace Process. There is no such thing as a “Peace Process.” It's a process of war . . . A Palestinian state is being established here, and an army of terrorists is being equipped with weapons for “Peace” purposes. The Halacha [Jewish Legal] commandment is to kill a Jew who gives up the Land and the People of Israel to the enemy . . . this commandment is more important than the

⁴² The Kach movement, started by the American Rabbi Meir Kahane, is generally considered to be more radical than Gush Emunim, and less integrated into Israeli society. We found relatively little support for the Kach movement in the settlements that we studied. Samuel Heilman notes:

Another Rabbi who had sought to guide the faithful, and whose impact was also felt, posthumously, in the turn toward violence, was Meir Kahane . . . he embraced the ideals of Zionism, which he wed to his own militancy, theology, and politics of confrontation. Underscoring the implicit ethnocentrism of Zionism and mixing it with the [B]iblical idea of a separate and superior Jewish people, he formed the idea that for Israel to be a Jewish state demanded that it actively rid itself of Arabs, whose very presence undermined the purity and promise of the Jewish character of Israel . . . Kahane wanted not just to transfer Arabs out of the Jewish state but to transform Israel into an Orthodox Jewish entity . . . Moreover, Kahanism . . . included an animosity to democracy, which is viewed as a doctrine that allowed the people rather than God to decide what was right. If democracy could allow the state to be taken over by a secular and heretical government that gave Jewish land to Arabs, endangering Jewish life and the Jewish future, democracy had to be set aside.

Heilman, *Guides of the Faithful: Contemporary Religious Zionist Rabbis*, in *SPOKESMEN FOR THE DESPISED: FUNDAMENTALIST LEADERS OF THE MIDDLE EAST*, *supra* note 18, at 355–356. For a description of the Kach movement ideology, and its relationship to the ideological perspectives that led to Prime Minister Rabin's assassination see Jones, *supra* note 21, at 15–18 (1999); SPRINZAK, *supra* note 7, at 180–226, 265, 274.

⁴³ Robert Paine, *Behind the Hebron Massacre*, 11 *ANTHROPOLOGY TODAY* 8, 9, 13–14 (1995).

prohibition against murder.⁴⁴

The ideological background of the settlement movement and these acts of violence provided cogent reasons for Israeli fears that the withdrawal from the Gaza Strip would lead to violence and even insurrection. For the first time, a large-scale settlement enterprise in the Land of Israel was being uprooted.⁴⁵ It certainly seemed reasonable to expect that violence would be worse than before, now that the ideological framework of many settlers was finally being tested. In turn, a number of rabbis aligned with the settlement movement reiterated rulings that made it illegitimate to remove settlements, and many called for soldiers to disobey any such orders.⁴⁶

⁴⁴ See *CrimC (TA) 498/95 Israel v. Igal Amir*, [1996] *IsrDC* 1996(1), 3411, at 3426, ¶ 22(c).

⁴⁵ The settlements in the Sinai Peninsula that were uprooted in 1982 as part of the peace agreement with Egypt were generally not considered by religious authorities to fall within the boundaries of the Land of Israel. See WEISBURD, *supra* note 3, at 47–48.

⁴⁶ See Larry Derfner, *Answering to A Higher Authority*, JERUSALEM POST, Oct. 22, 2004, at Features 10; Nadav Shragai & Amos Harel, *Two Top Rabbis Now Urge Troops to Personally Refuse Evacuation*, HAARETZ NEWS ONLINE, Oct. 10, 2004, <http://www.haaretz.com/hasen/pages/ShArt.jhtml?itemNo=490415>; Nadav Shragai, *Sign The Petition! Refuse to Participate!*, HAARETZ NEWS ONLINE, Dec. 8, 2004, <http://www.haaretz.com/hasen/pages/ShArt.jhtml?itemNo=511487>; ISRAEL INSIDER NEWS ONLINE, *YESHA Council Backs Call for Civil Disobedience Against Expulsion Law*, Dec. 20, 2004, <http://web.israelinsider.com/Articles/Briefs/4621.htm>; Efrat Weiss and Hanan Greenberg, *"I Want to See Civil Disobedience,"* YNET NEWS ONLINE, Apr. 27, 2005, <http://www.ynetnews.com/articles/0,7340,L-3077784,00.html>; CBS News Online, *Israeli Settlers Told To Resist: Mass Civil Disobedience Feared; Sharon Closer To New Coalition*, Dec. 20, 2004, <http://www.cbsnews.com/stories/2004/12/21/world/main662313.shtml>; Einat Brazilai, *How and to Where Do We Continue*, MA'ARIV NEWS ONLINE, Aug. 22, 2005, <http://www.nrg.co.il/online/11/ART/974/388.html>. (in Hebrew). Brazilai notes that:

Expressing his opinion, Rabbi Shapira, who had been the head of the Yeshiva "Merkaz Ha'rav", wrote that any command that opposes the Halakha and which forces a violation of the Torah does not have any validity; it is prohibited to follow the command, and no-one has the authority to give such a command. A soldier who gets such an order which is against the Torah must follow the religious Torah commandment and not the secular order. Just as we are not allowed to violate the Shabbat or eat non-Kosher food, we are also not allowed to uproot Jews from their homes.

Id. (translated from Hebrew by the authors).

B. Recent Developments and the Disengagement Plan

By 2005, the settlement movement in the West Bank and Gaza Strip expanded beyond the ideological core of its original proponents. By the time of the withdrawal over 220,000 Israelis lived in these areas, and many of them had been attracted not by ideological fervor, but economic incentives.⁴⁷ Yair Sheleg, a senior researcher at the Israel Democracy Institute, estimates that about 80,000 settlers are living in outposts that were established primarily as “quality of life” settlements.⁴⁸ These are mostly secular communities built close to the 1967 boundaries, within easy commuting distance to Israel’s major population centers.

Differences also exist between the Gaza Strip and settlements and those in the heartland of Judea and Samaria. While the establishment of settlements in Judea and Samaria were originally opposed by the government and founded after a series of struggles with the Israeli authorities,⁴⁹ settlements in the Gaza Strip, first established toward the end of the 1970s, were initiated by the Israeli government.⁵⁰ Also, many Samaria settlements are located near to or are in heavily populated Palestinian areas, leading to conflict over land and transportation routes. In contrast, most settlements in the Gaza Strip are located in abandoned areas relatively far from Arab population centers.

This geographic distance led to relatively few conflicts between settlers in Gaza and the Palestinian population until 1987, when the first *Intifada* or “uprising” broke out. The security situation deteriorated with the second *Intifada* at the end of the year 2000. All connections between Arab and Jewish populations were cut off completely at that time, and until their evacuation, the settlements endured almost constant attacks from neighboring Arab communities.⁵¹

The relinquishment of many areas of the West Bank and the Gaza Strip to the Palestinians was a central component of the Oslo Accords signed in

⁴⁷ See YAIR SHELEG, POLICY PAPER NO. 5E: THE POLITICAL AND SOCIAL RAMIFICATIONS OF EVACUATING SETTLEMENTS IN JUDEA, SAMARIA, AND THE GAZA STRIP 38–39 (2004), available at <http://www.idi.org.il/english/catalog.asp?pdid=349&tmp=1&did=39>.

⁴⁸ *Id.*

⁴⁹ SHAFAT, *supra* note 15, at 64–89.

⁵⁰ SHELEG, *supra* note 47, at 17–18; LUSTICK, *supra* note 7, at 46–47; Gordon, *supra* note 25, at 18.

⁵¹ See Rema Hammami & Salim Tamari, *The Second Uprising: End or New Beginning?*, 30 J. PALESTINE STUD. 5, 12–16 (2001).

August of 1993.⁵² Ironically, the actual withdrawal process would only be initiated much later by one of the strongest proponents of the settlement movement, Prime Minister Ariel Sharon. Frustrated with the breakdown of negotiations with the Palestinians, yet interested in changing the facts on the ground, Sharon decided to advocate a policy of unilateral withdrawal from the Gaza Strip. Sharon first announced the disengagement plan during a speech at the Hertzeliya Conference in December 2003.⁵³ Many pundits from different political camps suspected it to be no more than a momentary political spin, a ploy by someone who for many years was considered the founder of the settlement movement in the West Bank and Gaza Strip.⁵⁴ Nevertheless, the disengagement plan was soon set into motion, and Sharon, once the hero of the settlement movement, became its greatest threat.

On February 16, 2005, the Israeli Parliament passed into law the Implementation of the Evacuation Plan Act (the Act).⁵⁵ The Act enabled the cabinet to evacuate settlements and withdraw from the Gaza Strip and the northern area of Samaria.⁵⁶ The Act also empowered the prime minister and minister of defense to limit civilian access to these territories,⁵⁷ defined criminal sanctions against Israeli citizens who disobeyed the evacuation order,⁵⁸ and ensured compensation and support for settlers during the process of dismantling and relocation of the population.⁵⁹ One essential condition in the Act states that the decision to evacuate each settlement should be made at least five months prior to the actual evacuation.⁶⁰

The order of actual disengagement was made and signed on February 20,

⁵² Rema Hammami & Salim Tamari, *Anatomy of Another Rebellion*, 217 MIDDLE E. 2, 3 (2000).

⁵³ Prime Minister Ariel Sharon, The Herzliya Address at the 4th Annual Herzliya Conference (Dec. 2003), available at http://www.herzliyaconference.org/Eng/_Articles/Article.asp?ArticleID=892&CategoryID=153.

⁵⁴ See, e.g., Gil Hofman, *Sharon Pressures NRP, Netanyahu to Stay in Coalition*, JERUSALEM POST, Nov. 7, 2004, at News 1. Quoting Knesset Member Dalya Itzik: "I have gotten so many messages over the last few weeks and nothing has come out of any of them, so I long ago stopped taking them seriously . . . This is all a spin campaign of the Prime Minister's Office that must be viewed with suspicion." *Id.*

⁵⁵ The Knesset, The Knesset Announces the Implementation of the Evacuation Plan Act, http://www.knesset.gov.il/process/asp/event_frame.asp?id=58 (in Hebrew).

⁵⁶ *Id.* at 142.

⁵⁷ *Id.* at 149–150.

⁵⁸ *Id.* at 150.

⁵⁹ *Id.* at 144–145; 148–149; 152–156.

⁶⁰ *Id.* at 149.

2005.⁶¹ Consequently, the actual disengagement was set to begin on July 20, 2005.⁶² Two months later, the date for actual disengagement was extended to August 15, 2005. The period between February and the withdrawal was of one of political tension, as members of the Israeli parliament opposing the disengagement tried to topple the government or pressure it—with help from the Yesha Council and other anti-withdrawal groups—to conduct a national referendum before the actual disengagement was implemented.⁶³ However, on March 28, 2005, the Israeli parliament voted 72 to 39 to reject the option of a referendum.⁶⁴

On July 13, 2005, Sharon signed the closure order for Gaza, making the area a closed military zone. Police permitted only Gaza residents to enter the area. On July 18, approximately 70,000 protestors tried to march illegally to Gaza. Significant police and army forces blocked the roads, forcing the protestors to gather in a nearby village called Kefar Mimon.⁶⁵ The protest march ended on July 21 after police prevented protesters from continuing to Gush Katif.⁶⁶ Despite this, antidisengagement protestors, most of them from the West Bank, managed to sneak in to the area by foot through fields. By the time the evacuation began, a few thousand infiltrators were in Gaza

⁶¹ Press Release, Prime Minister's Office, PM Sharon and DM Mofaz Sign Orders Implementing Disengagement Plan (Feb. 20, 2005), *available at* <http://www.pmo.gov.il/PMOEng/Archive/Press+Releases/2005/02/spokemesB200205.htm>.

⁶² *Id.*

⁶³ See Gil Hofman, *Right Targets Sharon in Outpost Scandal; Rebels Aim to Stop Pullout Legally if not Politically*, JERUSALEM POST, Mar. 10, 2005, at News 1 (quoting the leader of the Likud rebels, Uzi Landau: "Besides using legal means disengagement can still be prevented politically in three ways: by stopping the budget, forcing a national referendum, or passing a motion to disperse the 'Knesset.'"); Mazal Muallem, *Likud Rebels Claim Battle Isn't Over Yet*, HAARETZ NEWS ONLINE, Mar. 29, 2005, <http://www.haaretz.com/hasen/pages/ShArt.jhtml?itemNo=557955>.

⁶⁴ Gideon Alon & Nadav Shragai, *Referendum Bill Fails; Settlers Vow to Take to Streets*, HAARETZ NEWS ONLINE, Mar. 29, 2005, <http://www.haaretz.com/hasen/pages/ShArt.jhtml?itemNo=557965>.

⁶⁵ Matthew Gutman & Yakov Katz, *Protesters Still Intent on Reaching Gaza: Police May Storm Kfar Maimon to Force Them Home*, JERUSALEM POST, July 20, 2005, at News 1; Matthew Gutman & Yaakov Katz, *Police Hold Firm as Gaza Protest Fizzles*, JERUSALEM POST, July 21, 2005, at News 1.

⁶⁶ Amos Harel & Nir Hasson, *IDF: We can't Seal Gaza Hermetically*, HAARETZ NEWS ONLINE, July 22, 2005, <http://www.haaretz.com/hasen/pages/ShArt.jhtml?itemNo=603291>.

illegally.⁶⁷ But, as we noted at the outset of this Article, the evacuation of settlers and settlements was to pass with little actual violence.

III. THE STUDY

Our research was designed to examine the potential for violence in the event of Israeli withdrawals from the West Bank and Gaza Strip. We sought to identify the main themes that characterized the ethos of settlers and their narratives on ideology, violence, and the legitimacy of law and government actions. At the outset, we made two strategic decisions regarding our sample and our approach. First, we decided to focus our research on ordinary settlers and not on the leaders who have often dominated public and academic discussion of the settlement movement, as we thought that a good deal was already known about the leadership. Moreover, while we recognized the importance of leadership, and indeed spoke to a number of settlement leaders in the course of our study, we thought that it was critical to go beyond what leaders said to what the bulk of settlers believed and what they were willing to do in response to government threats to the settlement enterprise. As we will describe below, we used open-ended interviews and surveys to gain a portrait of settler attitudes.

While we wanted to gain a broader view of settler attitudes, we also wanted to focus on more ideological and more isolated settlements. Our focus is on the potential for violence in the case of a withdrawal by the Israeli government, and in this context it did not make sense for us to expend scarce resources for our study on the entire settlement community. Instead, we identified two main criteria for selecting settlements for study. The first criterion was that the settlements selected must have been ideologically associated with the Gush Emunim movement or other groups that had been known as strong advocates of settlement and opposed to any withdrawal from the territories. The second criterion was that the settlement appeared very likely to be uprooted in the context of withdrawals from the West Bank and Gaza Strip.

⁶⁷ Ze'ev Schiff, *Infiltrating the Gaza Strip*, HAARETZ NEWS ONLINE, Aug. 8, 2005, <http://www.haaretz.com/hasen/pages/ShArt.jhtml?itemNo=609631>; Amos Harel & Nir Hasson, *Scores of Pullout Foes Continue to Infiltrate Gaza*, HAARETZ NEWS ONLINE, Aug. 11, 2005, <http://www.haaretz.com/hasen/pages/ShArt.jhtml?itemNo=611158>.

A. Selection of the Sample of Settlements

We began our sample selection with twenty-two settlements that David Weisburd surveyed in an earlier study of the Gush Emunim movement.⁶⁸ Drawing from this earlier study allowed us to identify settlements with strong ideological attachments since their founding.⁶⁹ Using data from Weisburd's study, we ranked each of the twenty-two settlements in ascending order of "level of radicalism" based on three different variables.⁷⁰ From the list of the ten most radical settlements in Weisburd's sample, we chose five settlements using various considerations such as geographic location and religious orientation.⁷¹ To choose a second group⁷² of five settlements that was not dependent on the earlier study, we asked settlers interviewed in the first group to describe which of the settlements in the area they considered to be the most "ideological" or most "radical," a selection technique that is a variant of "snowball"⁷³ sampling.

We initiated the research proposal before the disengagement plan was introduced to the public. Nonetheless, when the actual field work started, the prospect and implications of the disengagement were evident and became more tangible with time. These historical events led to specific adjustments in the original research plan. First, we increased the number of settlements in the Gaza Strip we intended to study. Second, we added participant observations at antiwithdrawal demonstrations. Finally, we did not include one of the settlements we studied, Mevo Dotan, in the analyses that follow. While established in 1977 as a Gush Emunim settlement, when we arrived for our study there were few people left at the outpost, and those remaining

⁶⁸ For the list of the 22 settlements that Weisburd studied see WEISBURD, *supra* note 3, at 11.

⁶⁹ It also allows us to track changes over time in the settlements by comparing our findings to those reported by Weisburd in the prior study. See *id.* These changes are the focus of another paper that is in progress.

⁷⁰ The three variables are "percentage of support for vigilantism in the settlement," *id.* at 70; "percentage of reported participation of male settlers in vigilantism," *id.* at 71; and "percentage of support for passive resistance," *id.* at 113.

⁷¹ The five settlements chosen as the first group were Beit-Yatir, Shilo, Kefar-Tapuach and Mevo-Dotan from Judea and Samaria, and Atzmona from the Gaza Strip.

⁷² The five settlements chosen as the second group were Rachelim from Samaria, Susia from Judea and Neve-Dekalim, Gane-Tal and Shirat Ha'Yam from the Gaza Strip.

⁷³ See BERNARD H. RUSSELL, RESEARCH METHODS IN ANTHROPOLOGY: QUALITATIVE AND QUANTITATIVE APPROACHES 180–202 (AltaMira Press 3d ed. 2002); ROYCE A. SINGLETON, BRUCE C. STRAITS & MARGARET MILLER STRAITS, APPROACHES TO SOCIAL RESEARCH 164–165, 329, 336–337 (2d ed. 1993).

were not strongly ideological, claiming that they would be happy to leave if the government offered them compensation.

The disengagement plan created an atmosphere of mistrust and suspicion among settlers, which forced us to spend considerable time and effort in order to gain settler cooperation. Of the settlements we originally selected for the study, only one, Sa-Nur, did not give us permission to interview and survey its members. Another settlement, Shilo, originally refused to allow us entry but eventually agreed to allow us to conduct our survey. Sa-Nur was one of four settlements that were evacuated from the north of Samaria. During the second *Intifada*, due to extreme security difficulties, it was almost completely abandoned by its original population. At the time we conducted our research Sa-Nur was populated mostly by a small group of settlers who came there to try to prevent the evacuation.

Our sample does not represent a random sample of settlements in the West Bank and Gaza Strip, but rather a group of settlements that would be considered among the most radical and isolated.⁷⁴ The settlements we chose were known in the settlement movement as strongly “ideological” settlements, and the communities were located in areas that were either slated for withdrawal in the disengagement plan or that were not part of large settlement blocks and therefore assumed to be vulnerable to a potential future withdrawal. All of the surveyed settlements are outside the proposed route of the security fence under construction to separate Israel from the West Bank.

Table 1 below lists general characteristics of the settlements we surveyed. Overall, with the exception of Neve Dekalim in the Gaza Strip, a town with 500 families, the settlements were small outposts of 25 to 180 households. They were generally founded in the late 1970s or early 1980s. Only one settlement, Shirat-Ha’Yam, was established in the last ten years. The average residency in the settlements varied between five and twenty-one years.⁷⁵ We do not report length of residency for Shirat-Ha’Yam because many of the settlers we surveyed there had come only recently in order to try to prevent the implementation of the disengagement plan. As expected, given our sampling approach, the settlements were composed overwhelmingly of

⁷⁴ There are other settlements in the West Bank, such as the Jewish communities in Hebron, Kiryat Arba and Itzhar, which are known to be very radical and are not in our sample. Importantly, during the months leading to the disengagement many of the most ideological settlers from those settlements moved to the Gaza Strip in order to try to prevent the disengagement. We interviewed a number of these settlers in the Gaza settlement of Shirat-Ha’Yam.

⁷⁵ Statistics regarding residency and religiosity are drawn from our settler survey described in detail in the next section.

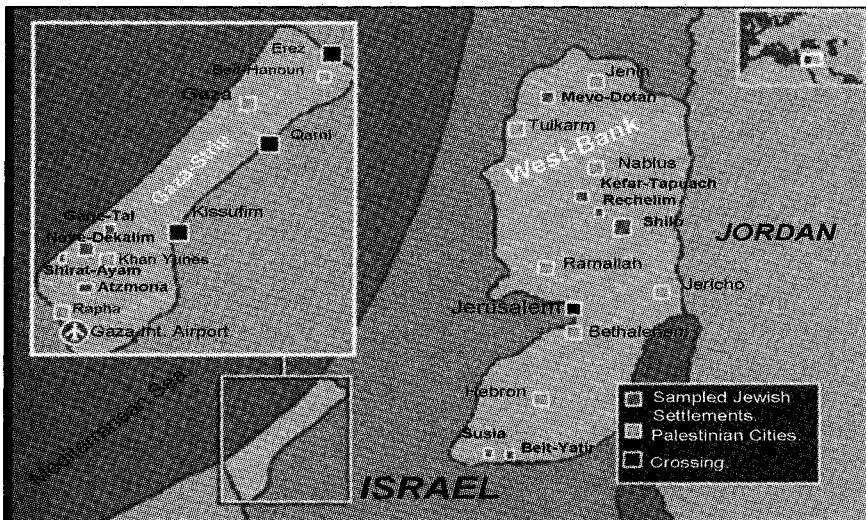
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religious Jews. The geographic locations of the settlements are detailed in Figure 1.

Table 1: Characteristics of Settlements

<i>Descriptive Region</i>	Settlement	Year established	Number of households	Avg. years of residency	Secular %
Gaza	Atzmona*	1978	80	11.6	None
	Gane-Tal*	1979	70	21	2.5%
	Neve- Dekalim*	1983	500	14.4	5%
	Shirat- Ha'Yam*	2001	25	---	None
Samaria	Shilo	1978	180	15.5	None
	Kefar- Tapoach	1978	90	8.7	8%
	Rechelim	1991	35	4.7	None
Judea	Beit yatir	1979	70	14	6%
	Susia	1983	100	11	None

* These settlements were evacuated August 15–23, 2005.

Figure 1: Location of Sampled Settlements

B. Interviewing and Surveying Settlers

In-depth semistructured interviews were conducted with both settlement leaders and ordinary settlers. We initiated the first contact with the settlement by approaching their political or spiritual leaders. The interviews with leaders focused mainly on the social and political history of the settlement and conflicts with the government and Arabs. Interviews with settlers focused on the personal history of the interviewees, their decisions to settle in the territories, attitudes toward Israeli society, and beliefs regarding possible dismantlement of settlements and reactions to such decisions.

Selection of ordinary settlers for our interview sample was developed using a snowball sampling approach in which we tried to locate settlers whom others considered more ideological. Overall, we conducted sixty-four in-depth interviews with settlers and settlement leaders, thirty in the Gaza Strip and thirty-four in the West Bank. The interviews lasted between 30–120 minutes, and were based on a standard open-ended interview instrument. We also conducted fifty field observations and sixty short interviews at antiwithdrawal demonstrations. The protestors were asked mainly about the actions they planned to take in trying to prevent the disengagement.

We began to survey settlers on July 25, 2005, about three weeks before the withdrawal from the Gaza Strip. We completed 149 surveys of settlers in the Gaza Strip and 108 in the West Bank before the withdrawal. We

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conducted an additional 108 surveys in the West Bank a month after the withdrawal. Our approach to the survey was to go door to door in each of the settlements we studied. We chose this approach over a mail survey because we thought that many settlers would ignore a mail survey, especially considering the heightened tension in the settlements in the period immediately before the disengagement. We also thought we would have greater success in approaching people directly rather than simply calling them on the phone.

For settlements with less than one hundred households, we tried to gain a response from each household. In the larger settlements of Neve Dekalim and Shilo, we used a sampling technique in which we tried to get a response from every fifth house (Neve Dekalim) or second house (Shilo). We employed four to five researchers in each day of surveying, trying to finish the survey in each settlement as quickly as possible. In the Gaza Strip, many households were already empty when we arrived, presumably because their residents had already left. In cases where people were not at home, we would return to the household at least twice. Our response rate for households in which an adult was at home was 80%.

As Table 2 below indicates, most of the settlers we surveyed were married and had large families.⁷⁶ Indeed, in seven of the settlements the average number of children for married families was above four. This can be compared to the average number of 2.9 children for Israeli families generally.⁷⁷ Overall, the average age of respondents in our study was in their thirties. Over half of the people we surveyed had college degrees, a figure much higher than the 19% with degrees among the general Israeli population.⁷⁸

⁷⁶ Our sample was not equally weighted between men and women. About 63% of our respondents were women, and we have no reason to believe that women were overrepresented in the settlements overall. The reason for over-sampling is because men were less likely to be at home during the hours we conducted the survey, and we did not purposely over-sample men when a husband and wife were both available (and we took only one survey from each household). Because of the possible biases that this might create in our description of the settlers, we compared men and women on the variables examined in this paper. We did not find any meaningful or statistically significant differences.

⁷⁷ Figures concerning the general population are taken from the CENTRAL BUREAU OF STATISTICS, *supra* note 28, at 2–27.

⁷⁸ *Id.* at 12–25.

Table 2: Characteristics of Settlers

<i>Descriptive Region</i>	Settlement	Marriage %	Mean number of children	Mean age	College degree %
Gaza	Atzmona	89%	6.4	39	48%
	Gane-Tal	87%	4.1	39.5	52%
	Neve-DeKalim	85%	5.0	38	33%
	Shirat Ha'Yam	53%	4.4	27	45%
Samaria	Shilo	89%	5.6	39	52%
	Kefar-Tapoach	67%	1.85	32	39%
	Rechelim	100%	2.5	28	80%
Judea	Beit yatir	78%	4.8	38	57%
	Susia	89%	5.6	36.5	61%

IV. THE POTENTIAL FOR VIOLENCE

A. Did the Settlers in the Gaza Strip Have Radical Beliefs that Would Justify and Encourage Violence?

In order to examine why there was little violence among Jewish settlers in the Gaza Strip at the time of the withdrawal, we need to first ask whether these settlers in fact expressed ideologies that would support violence. While it has been assumed that these settlers had radical beliefs that might justify and encourage violence, systematic evidence of this assumption had not been collected before our study. In turn, if the settlers did not have radical beliefs that might support violence, then we could explain the lack of resistance quite easily.

Table 3 displays four variables from our survey that capture elements of settler ideologies that might justify violence. We include in this table only responses gathered from the Gaza Strip and classify responses to the statement as disagreement, agreement, or a central tenet of the settler's world view.

Table 3: Ideologies that Potentially Justify Violence for Settlers in the Gaza Strip

<i>Agreement Level</i> <i>Tenet</i>	A central tenet of my worldview	I agree	I disagree	N valid
Settling in Yesha is part of the process of the redemption of Israel (<i>Geulat Yisrael</i>).	62%	33%	5%	125
A withdrawal from Yesha will prevent <i>Geulat Yisrael</i> .	36%	35%	29%	118
Renunciation of any part of Eretz Israel is <i>Ye'Hareg Ve'Al Ya'Avor</i> .	31%	35%	34%	111
History will judge those who assist in the evacuation of the settlements as traitors.	30%	48%	22%	110

As is apparent, nearly all of the settlers agree with the proposition that settling in Judea, Samaria and Gaza is part of the process of the redemption of the Jewish people, and almost two-thirds argue that this is a central tenet of their world view. More than two-thirds also agree that “a withdrawal from any part of the Land of Israel” will prevent the messianic redemption of Israel. Taking into account that this is a strongly religious population, the messianic connection between settlement and the land provides a powerful brew for possible justifications for violence. As one settler from the Gaza Strip told us:

We come to *Eretz Israel* with an enormous mission: to mend the world in God's kingdom . . . but this can be done only when the whole nation of Israel is connected to the Land of Israel. Without this there can be no completion of that mission: not for the people of Israel, not for the land and not for the world . . . each Gentile that interrupts the connection between the Jewish people and their land also interrupts *Tikun Olam* [the mending of the world], interrupts its salvation, interrupts completion, and disrupts peace.⁷⁹

As noted earlier, perhaps the strongest condemnation of withdrawal from the Gaza Strip and other parts of the Land of Israel can be found in the

⁷⁹ Interview by research staff with Anonymous Settler, in Gaza (May 25, 2005).

Talmudic dictum *Ye'Hareg Ve'Al Ya'Avor*. Accepting this idea means that a religious Jew puts withdrawal from the land on par with the sins of murder, apostasy and incest. In this case as well, about two-thirds of those surveyed agreed that "renunciation of any part of the Land of Israel is *Ye'Hareg Ve'Al Ya'Avor*."

One rabbi we spoke to in the Gaza Strip explained that the issue of protecting the settlements not only fit under the principle of *Ye'Hareg Ve'Al Ya'Avor*, but also that it demanded a Holy War:

As for Holy War, the Ramban⁸⁰ says that you should rather be killed rather than flee. You must participate in a Holy War! . . . The commandment is stronger than the three sins of *Ye'Hareg Ve'Al Ya'Avor*, because in the case of idol worship, incest and murder, if a m[a]n tells you: "kill your friend or I will kill you," if you can run away you should do so, and if you are not able to do so you must commit suicide. In contrast, in "Holy War" even if you can run away it is forbidden. You are commanded to go into Holy War for the Land of Israel, even if you might be killed. Without the sacrifice of our first Pioneers we couldn't be here . . . some values are above the value of life.⁸¹

We also tried to tap more secular justifications for resorting to violence. We asked a question that gauged whether settlers thought that withdrawal from the West Bank and the Gaza Strip was acceptable within the language of normal Israeli politics. Is the withdrawal from these territories something in which there can be normal political debate and disagreement? Or is it something that stands outside the legitimate boundaries of political discourse? When we asked settlers in the Gaza Strip whether "history will judge those who assist in the evacuation of the settlements as traitors," almost eight in ten agreed.

These data suggest to us that the settlers not only believed that uprooting of settlements was a serious violation of religious norms, but such actions violated the boundaries of what is acceptable in normal politics. As one settler told us: "The Land of Israel is not an inheritance. It is a legacy. Things that I get as an inheritance are mine, if I so desire I can give it up. But a

⁸⁰ Rabbi Moses Ben Nahman (1195–1270), also known by the Hebrew acronym "Ramban" and the Latin designation "Nahmanides." Nahmanides was the foremost *halakhist* of his age. His contributions cover every area of scholarship, distinguished both in the legal dimension and the esoteric dimension. See AYROCHAM C. FEYER, A LETTER FOR THE AGES: IGGERES HARAMBAN, at xi–xii (1989).

⁸¹ Interview by research staff with Anonymous Settler, in Gaza (July 4, 2005).

legacy is something that belongs to the Jewish people for all generations. It cannot be relinquished.”⁸² Similarly, another settler told us:

The state of Israel will not be able to exist [if the government uproots settlements]. It will fall to pieces, just collapse. Our battle is not for Gush Katif. It's a war for faith, for believing in the Land of Israel as being sacred, and not merely a real estate issue . . . it [the disengagement] is the end of Zionism. When the state of Israel decides to uproot Jewish settlements from the Land of Israel, it declares itself as already misusing the mandate given by the people of Israel. It means that the state becomes irrelevant. For what reason was the state of Israel established? For what reason was the Israeli parliament established, if not to settle the people of Israel in the Land of Israel? Therefore, uprooting the people of Israel from the land means the end [of the state]. My argument is that when the state misuses its authority it ultimately loses its legitimacy and the authority of its governing and legal systems is void.⁸³

B. Did the Settlers in Gaza Say They Were Willing to Use Violence to Prevent a Withdrawal?

The data we have brought so far suggest that the settlers held radical ideologies that can justify violence. But this raises another important question in understanding what happened in the Gaza Strip. Perhaps, based on the ideologies that they held, the settlers supported violence, but they were constrained because the army or police prevented them from carrying out violent acts. Later in our Paper, we will discuss the role of the army and the police in the withdrawal, but at this point we want to focus specifically on whether settlers suggested, during the weeks and days before the withdrawal, that they would be willing to use violence.

In our survey, we asked respondents to describe their attitudes toward a series of potential violent reactions to Israeli government attempts to uproot settlements in Gush Katif and Northern Samaria. The potential reactions and responses of Gaza settlers we surveyed are detailed in Table 4. We distinguished support for violence between a settler's willingness to actively participate in the violence from those who thought it was merely "legitimate and appropriate." Negative settler attitudes toward violence included two possible responses: those who thought it was "not desirable" (yet understandable), and those who thought violence was "absolutely not legitimate." Our results strongly suggest that the settlers did not support

⁸² Interview by research staff with Anonymous Settler, in Gaza (May 18, 2005).

⁸³ Interview by research staff with Anonymous Settler, in Gaza (May 25, 2005).

serious violence despite the radical views they held about the settlements and the West Bank and Gaza Strip.

Table 4: Support for Violence in Gaza

<i>Agreement Level</i> <i>Violent Reactions</i>	Absolutely not legitimate	Not desirable but I can understand	Legitimate and appropriate	I myself am intending to act like that	N valid
Blocking traffic on roads.	23.8%	41.8%	28.7%	5.7%	122
Piercing tires and damaging vehicles of the army or police.	61%	28.5%	8.1%	2.4%	123
Physical response toward someone who would raise his/her hand to me, or anyone close to me.	31.7%	40.8%	20%	7.5%	120
Physical response against anyone who would participate in uprooting Jews.	77.6%	20%	0.8%	1.6%	125
Violence against Arabs in order to provoke Jewish/Arab conflict.	82.5%	15%	2.5%	None	120
Violent revolt (use of firearms).	96.9%	1.6%	None	1.6%	127

Very few of the settlers that we surveyed in Gaza suggested that they would be involved in any violence or active resistance. Only 6% said that they would block traffic on roads. Only 8% said that they would use a

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physical response if “someone raised a hand to me or someone close to me.” Importantly, more than 40% of the settlers thought that these behaviors were undesirable, and between 24% and 32% of the settlers we surveyed thought these actions were “absolutely not legitimate.”

When we turn to active acts of violence, support among settlers declines further. Only a handful of settlers we surveyed claimed that they would pierce tires or damage vehicles of security forces in reaction to a withdrawal. Sixty-one percent told us that damaging property of the military was “absolutely not legitimate” and only 8% said that such activities in a response to government attempts to uproot settlements were “legitimate and appropriate.” Support for “physical violence against anyone who would participate in uprooting Jews” and “violence against Arabs in order to provoke Jewish/Arab conflict” elicited even less support in our survey. About 80% of settlers told us that these reactions were “absolutely not legitimate.” When we asked whether they would be willing to participate in a violent revolt to combat government attempts to uproot settlements, 97% of settlers we surveyed said that this action was “absolutely not legitimate.”

The findings we have presented so far suggest that the lack of violence in the Gaza withdrawal is because the Jewish population in the Gaza settlements did not generally perceive serious violence as legitimate. But we are faced with an interesting question. If the Gaza settlers expressed such strongly held views about the settlements, why weren’t they willing to resort to violence? Given the radical nature of their ideologies about the Land of Israel, what led them to see violence as illegitimate? The settlers saw a direct connection between the coming of the Messiah and settlement in these territories. And they placed withdrawal from the territories among the most serious religious transgressions, and as a violation of the inherent values of a Jewish state. If these are decisions a government cannot make, why were they not willing to do more about it?

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In understanding this seeming contradiction between the ideologies of settlers and their willingness to resort to violence, we were drawn to a theoretical perspective proposed more than fifty years ago by one of the founding fathers of American criminology, Edwin Sutherland. Sutherland proposed a theory of “differential associations”⁸⁴ and crime, in which he recognized that individuals are confronted with many different and

⁸⁴ See EDWIN H. SUTHERLAND, *PRINCIPLES OF CRIMINOLOGY* 74–80 (Donald R. Cressey ed., 6th ed. 1960).

countervailing influences. While Sutherland was primarily concerned with how individuals, especially young people in a community, come to be involved in crime, his perspective seems particularly relevant to understanding the willingness, or seeming lack of willingness, of settlers to use violence against the Israeli army or police.

Sutherland argued that there is a kind of balance that when upset leads people to a willingness to violate the law. One central principle of his theory of differential associations is that “[a] *person becomes delinquent because of an excess of definitions favorable to violation of law over definitions unfavorable to violation of the law.* This is the principle of differential associations. It refers to both criminal and anticriminal associations and has to do with counteracting forces.”⁸⁵

While Sutherland’s principle and theory have been applied primarily to crime, we think his perspective is relevant to the problem of political violence that we are examining. However, we are less interested in why people turn violent than in understanding why they fail to turn violent. This approach has recently become a central focus for criminologists who have tried to explain the vast array of conformity in modern society as opposed to acts of deviance.⁸⁶

We think that the lack of violence during the withdrawal from the Gaza Strip can be understood in the context of what we define as a perspective of “normative balance.” In this context we draw from Sutherland’s notion of a

⁸⁵ *Id.* at 78 (emphasis in original).

⁸⁶ Such theories are generally termed “control theories.” Their main focus is not on why offenders commit crime but rather on why the vast majority of people do not commit crime. For a review of control theories see Charles R. Title, *Refining Control Balance Theory*, 8 THEORETICAL CRIMINOLOGY 395 (2004); TRAVIS HIRSCHI, CAUSES OF DELINQUENCY (Transaction 2002) (explaining Hirschi’s social bonds theory); Albert J. Reiss, Jr., *Delinquency as the Failure of Personal and Social Controls*, 16 AM. SOC. REV. 196 (1951). In discussing his research results, Reiss notes the contribution researching personal and social controls can have on predicting law-breaking:

In predicting delinquent recidivism, then, research might well be directed toward the isolation of items which are measures of personal control re non-delinquent behavior and items which are measures to the acceptance of or submission to institutions which exercise control contra delinquent behavior. Such measures of personal and social control may be expected to yield valid predictions of delinquent recidivism.

Id. at 207; see also MICHAEL R. GOTTFREDSON & TRAVIS HIRSCHI, A GENERAL THEORY OF CRIME 85–120 (1990); ROBERT J. SAMPSON & JOHN H. LAUB, CRIME IN THE MAKING: PATHWAYS AND TURNING POINTS THROUGH LIFE 18, 67, 139–178 (1993); Karen Heimer & Matsueda Ross, *Role Taking, Role Commitment and Delinquency: A Theory of Differential Social Control*, 59 AM. SOC. REV. 365, 365–371 (1994).

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set of countervailing pressures pushing and pulling potential offenders to and from criminal activity. While settlers expressed norms regarding the land and settlement that would naturally lead to illegality and serious violence, they also claimed to support norms that emphasized their connections to the larger society and that acted to constrain the potential for violence. Yair Sheleg reported on such conflicting norms when describing the efforts of rabbis in the settlement movement to moderate possible protests against the government:

Paradoxically, the rabbinical elite of the settler movement, its older leaders, assert uncompromising claims about preserving all of *Eretz Yisrael* [Hebrew term for the Land of Israel]. But, at the same time, they believe in the holiness of the Jewish state as a whole and not just the holiness of the land. The combination of these beliefs has led them to moderate the steps that they allow the settlers to take in protest.⁸⁷

We believe that normative balance provides a strong explanation for the lack of settler support for violence in the Gaza Strip and the subsequent lack of violence in the withdrawal itself. Balancing norms are strongly evidenced in our survey. In Table 5 we present three items that reflect this element of normative balance among Gaza settlers.

When we asked settlers whether “the unity of the Jewish people and the existence of the State of Israel are more important than the territories” (i.e. Judea, Samaria and Gaza), almost two-thirds agreed. An even larger number of the settlers told us that they agree that “I must respect the law and government decisions even if I personally disagree with them.” And only 11% disagreed that “as a democratic state, Israel must be tolerant of a wide range of different opinions and ways of life.”⁸⁸

⁸⁷ Susskind et al., *supra* note 2, at 190.

⁸⁸ Settlers often interpreted this concept in terms of the importance of society taking their views into account. Many settlers viewed the lack of a referendum approving the withdrawal as proof that the withdrawal was “undemocratic.”

Table 5: Balancing Norms in Gaza

<i>Agreement Level</i> <i>Balancing Norms</i>	A central tenet	I agree	I disagree	N valid
I must respect the law and government decisions even if I personally disagree with them.	11.5%	55.8%	32.7%	113
The unity of the Jewish people and the existence of the state of Israel are more important than territories.	20%	41.8%	38.2%	110
As a democratic state, Israel must be tolerant of a wide range of different opinions and ways of life.	24.4%	64.2%	11.4%	123

While we think that these data support a perspective of normative balance in the settlements, it is interesting to note that while settlers agree generally with these norms, fewer settlers see such norms as “a central tenet” of their beliefs as compared with the ideological variables we examined earlier. This may be because the ideological variables we examined were related directly to settlement enterprise, while these statements are a more general measure. It may imply that such ideological perspectives are in some ways more salient. However, our qualitative interviews suggest that balancing norms are relevant to the decisions of settlers to avoid more serious violence. For example, one settler tried to bring us to understand how he could believe so strongly that the removal of settlements was a “crime” and at the same time he could be against violence:

One might think that blocking roads only damages our cause—it creates antagonism. It’s the opposite of what we are wishing to gain—to create connections to the people. Other people say that we must create a rupture; we must make people understand that this is something that just cannot be done. I prefer the first way, which unites instead of ruins. Nevertheless I still look at this plan with the utmost severity and I think it is a crime to do something like this. We believe that the right way is to increase light instead of creating darkness. The solution is in increasing love and working to create unity instead of creating a rupture. The settlers here love the people of Israel.⁸⁹

For this settler, as others, the withdrawal represented a terrible offense on the part of the government. But it was equally unacceptable for settlers to use

⁸⁹ Interview by research staff with Anonymous Settler in Gaza (Apr. 6, 2005).

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violence against other Jews.

Noting the connections between other Israelis and the settlers, another Gaza settler described the tension between his religious beliefs in the centrality of the Land of Israel and his recognition that the soldiers and settlers are his “brothers.” This parallels Edwin Sutherland’s original theory of differential associations, which emphasizes the social networks that tie individuals to law abiding or law breaking groups.⁹⁰ As one settler explained:

Militant people see reality in only black and white The way I understand Judaism, it has many colors, each and everything has nuances . . . it’s not that the Land of Israel is not important for me. I’m struggling for it and I don’t want to lose pieces of “Eretz Yisrael.” It is fundamental in my beliefs . . . I think that the Land of Israel is very important but people who concentrate only on the importance of the land fail to see the importance of the unity of the people of Israel We will not be able to exist in the Land of Israel without the unity of the nation. I think that the importance of the people of Israel precede the Land of Israel.⁹¹

Another settler from the West Bank expressed similar sentiments:

Rabbis say that if the disengagement happens we need to leave quietly. We should be there until the very last minute, full with sadness and agony, but the government made a decision. . . . In the Torah the importance of the settlement is immense. But it is not only a matter of am I going to obey the words of the Torah, it is also a matter of the possibility of a civil war. If I resist a soldier I create an opening for a civil war. This soldier that will come to evacuate me is my brother.⁹²

Taken together, these findings support our perspective of normative balance in understanding the lack of violence observed in the Gaza Strip. In our view, countervailing norms restrained settlers from following what would appear to be a natural progression to violence based on their radical

⁹⁰ See SUTHERLAND, *supra* note 84, at 78. The third principle in his explanation of criminal behavior is that, “*The principal part of the learning of criminal behavior occurs within intimate personal groups,*” and the fifth principle is that, “*The specific direction of motives and drives is learned from definitions of the legal codes as favorable or unfavorable.*” In some societies an individual . . . is surrounded by persons whose definitions are favorable to the violation of the legal codes.” *Id.* (emphasis in original) (emphasizing the importance of social network ties).

⁹¹ Interview by research staff with Anonymous Settler in Gaza (Apr. 14, 2005).

⁹² Interview by research staff with Anonymous Settler in Samaria (May 9, 2005).

beliefs concerning settlement and the Land of Israel. On the one hand, they believed government actions to be illegitimate and criminal, and they believed those actions would hinder the redemption of the Jewish people. The settlers were strongly committed to these norms which apparently provided possible justification for violence. On the other hand, however, settlers were also committed to balancing norms which emphasized their connections to the entire Jewish people, and the importance of respecting the laws of the State even if they did not agree with them. This tension, in our view, is important in explaining the lack of settler violence despite the government's uprooting of Jewish settlements in the Land of Israel.

A. Normative Balance and the Approach of the Army and Police

While the attitudes of settlers help us to understand the low level of violence in the withdrawal, we also think the approach of the Israeli army and the police helped reinforce the normative balance model we have described. In the months preceding the withdrawal, the army took an approach of "engaging" the settlers, adopting the slogan "Sensitivity and Firmness."⁹³ This was a very unusual approach in the context of the culture of Israeli society, where people often react directly and immediately to affronts. To take an approach of not reacting to insults or verbal challenges, and to be sensitive to the context of the settler situation, represented an important statement regarding the way in which the army and the police perceived the settlers. Reinforcing this approach, the security forces announced that they would not carry any type of weapons into the

⁹³ Meir Elran, *Domestic Effects of the Disengagement*, 8 STRATEGIC ASSESSMENT (Nov. 2005), available at <http://www.tau.ac.il/jcss/sa/v8n3p5Elran.html>. Elran notes that: "The motto that the IDF coined for the operation—'sensitivity and determination'—reflected the careful operational planning and emotional preparation for the disengagement." *Id.* Hirsh Goodman, *The Disengagement and Israel's Media Strategy*, 8 STRATEGIC ASSESSMENT, Nov. 2005, <http://www.tau.ac.il/jcss/sa/v8n3p8Goodman.html>. Goodman states:

The mission the army was being asked to conduct, was qualitatively different from other missions, including forcibly removing people from their homes, most of them law abiding citizens, some of whom had lived in Gush Katif for thirty years. Therefore in carrying out this mission the IDF had to show sensitivity as well as determination. Indeed, those two words, sensitivity and determination, became the working title of the IDF's media plan for the disengagement itself.

Id.

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settlements when they came to uproot settlers.⁹⁴

This approach of “sensitivity” emphasized the connections between settlers and the authorities that had come to remove them. Soldiers and police were trained beforehand not to overreact to settlers and to treat them as much as possible as “brothers.”⁹⁵ Reflecting this, Picture 4 shows a group of soldiers praying with a rabbi from the settlements, holding arms around each other as they pray.⁹⁶ Certainly, such scenes reflect the security forces’ intention to emphasize the values and norms that are shared between the soldiers, police and settlers, and thus reinforce the normative balance model we described above.

Picture 4: Israeli soldiers pray with a rabbi from the settlements.



Of course, one reason why there was little violence was simply that the security forces overwhelmed the settlers. About 50,000 soldiers and police

⁹⁴ BBC NEWS ONLINE, *Troops Practice Gaza Evacuation*, July 26, 2005, http://news.bbc.co.uk/1/hi/world/middle_east/4718081.stm.

⁹⁵ Ari Shavit, “*We’ll embrace the settlers and take them with us*,” HAARETZ NEWS ONLINE, Aug. 15, 2005, <http://www.haaretz.com/hasen/pages/ShArt.jhtml?itemNo=612487>.

⁹⁶ BAMBALI NEWS WEB SITE, Online Image, Gaza Strip, Nissanit, Aug. 15, 2005, http://www.bambali.com/b_gallery/view_pic_id.asp?pic_id=35481&my_lang=2.

officers took part in the removal of settlers.⁹⁷ The Israeli security forces sought to present a portrait of overwhelming numbers. While this certainly helped to dampen possible violence, we think that the countervailing values we have described, and the reinforcement of such values during the withdrawal, played a key role in preventing violence.

VI. IMPLICATIONS FOR FUTURE WITHDRAWALS IN JUDEA AND SAMARIA

Given the strong likelihood of the uprooting of settlements in future withdrawals from the West Bank,⁹⁸ we think it is particularly important to examine the data from settlements in Judea and Samaria. Do we find a similar set of countervailing norms in the settlements we studied? If this is the case, we might expect a future withdrawal to follow the pattern we observed in the Gaza Strip. At the same time, a recent government attempt in February of 2006 to remove illegal settlers from an outpost called Amona in the Samaria region led to serious conflicts between settlers and Israeli soldiers and police.⁹⁹ While a government report has criticized the security forces in this case for using unnecessary force,¹⁰⁰ the events there suggest that future withdrawals will be met by significantly more serious settler

⁹⁷ See ISRAEL INSIDER NEWS ONLINE, *Operation "Brotherly Hand" Brings Both Soldiers and Settlers to Tears*, Aug. 15, 2005, <http://web.israelinsider.com/Articles/Politics/6313.htm>.

⁹⁸ See Prime Minister Ehud Olmert, Address to the Knesset on Presentation of 31st Government May 4, 2006), available at <http://www.mfa.gov.il/MFA/Government/Speeches+by+Israeli+Leaders/2006/Address+to+Knesset+by+PM+Olmert+on+presentation+of+31+government+4-May-2006.htm>. Prime Minister Olmert stated:

The disengagement from the Gaza Strip and Northern Samaria was an essential first step . . . but the main part is still ahead. The continued dispersal of settlements throughout Judea and Samaria creates an inseparable mixture of populations which will endanger the existence of the State of Israel as a Jewish state . . . [P]artition of the land for the purpose of guaranteeing a Jewish majority is the lifeline of Zionism. I know how hard it is, especially for the settlers and those faithful to Eretz Israel, but I am convinced, with all my heart, that it is necessary.

Id.

⁹⁹ See Effrat Weiss, *Amona Evacuated: Hundreds Hurt*, YNET NEWS ONLINE, Jan. 2, 2006, <http://www.ynetnews.com/articles/0,7340,L-3209330,00.html>.

¹⁰⁰ See THE KNESSET INVESTIGATIVE COMMITTEE INTO AMONA EVENTS, INTERIM REPORT 16–27, 31 (Mar. 19, 2006), <http://www.knesset.gov.il/committees/heb/docs/bitachon.htm> (in Hebrew).

violence.¹⁰¹

Overall, our quantitative data regarding ideological variables that might justify violence in the West Bank follow in general form our findings in the Gaza Strip.¹⁰² In Table 6, we compare support for ideological items that might be expected to justify violence across the three regions we examined. For simplification we combined the percent that agree with the statement or consider it a “central tenet of their beliefs” into a simple “I agree” category. As is apparent, the vast majority of settlers in all three regions believe that settling Judea, Samaria and Gaza are “part of the process of the redemption of Israel” and that “history will judge those who assist evacuating the settlements as traitors.” The proportions of settlers who see retention of the West Bank and Gaza as a principle of *Ye’Hereg Va’Al Ya’Achor* are lower but also similar across the regions. Only in the case of the measure, “a withdrawal from Yesha will prevent *Geulat Israel*,” do we find statistically significant differences between the three regions, and here the differences are not large in absolute terms. While 78% of Samaria settlers and 70% of Gaza settlers agreed with this statement, only 58% of settlers in Judea agreed.

¹⁰¹ *Id.* at 4. Yoav Shtinitz, the committee chairman, notes that:

On Wednesday morning, February 1, 2006 . . . [there were] thousands of protestors, and facing them large military and police forces . . . by the eve of that day . . . more than 220 wounded people were urgently sent to hospitals . . . during the disengagement events, in the summer of 2005, [in which] hundreds of homes and structures were destroyed . . . about 9,000 settlers and larger numbers of protestors were evacuated with their assent or by force, only a few needed medical care

Id. (translated from Hebrew by the authors).

¹⁰² We did consider the possibility that our data drawn before the withdrawal in the West Bank differed substantively from data collected in the survey in the month after the withdrawal. However, we did not find statistically important differences between our West Bank samples before and after the withdrawal, so they were combined in these analyses.

Table 6: Region Comparison for Items that May Justify Violence*

<i>Tenets</i>	Samaria		Judea		Gaza		Sig.**
	N valid	I agree	N valid	I agree	N valid	I agree	
Settling in Yesha is part of the process of the redemption of Israel. (<i>Geulat Israel</i>).	123	97.4%	76	95.3%	119	95.2%	N.S
A withdrawal from Yesha will prevent <i>Geulat Israel</i> .	92	78%	46	58.2%	83	70.3%	P <.05
Renunciation of any part of <i>Eretz Israel</i> is <i>Ye'Hareg Ve'Al Ya'Avor</i> .	78	69.6%	45	59.2%	73	65.8%	N.S
History will judge those who assist evacuating the settlements as traitors.	106	85.5%	55	78.6%	86	78.2%	N.S

*Questions were recoded into a binary level of measurement. The above "agreement percent" includes: "I agree," and "A central tenet of my world view."

**Statistical significance is estimated using ChiSquare tests comparing the three regions.

We also found strong evidence of balancing norms in the settlements we studied in Judea and Samaria, illustrated in Table 7. This suggests that in the West Bank, like the Gaza Strip, there are strong countervailing norms likely to constrain violence. Almost 80% of settlers in the Samaria settlements and almost 90% of settlers we surveyed in Judea believed that, "as a democratic state, Israel must tolerate different opinions." About two-thirds of settlers in Samaria and almost three-quarters of settlers in Judea also believed that "the unity of the Jewish people and the existence of the state of Israel are more important than the territories."

Nonetheless, we do find statistically significant and important differences when comparing the settlers of Gaza and Samaria. Such differences suggest that there may be greater potential for actual violence in

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Samaria. For example, more than two-thirds of the Judea and Gaza settlers agreed with the need to “respect the law and government decisions,” whereas less than 50% of the Samaria settlers we surveyed concurred. There are also statistically significant differences between the regions regarding the need for tolerance of differing opinions. Again, Samaria settlers were less likely than others to believe that “as a democratic state Israel must be tolerant of a range of different opinions and ways of life.”

Table 7: Region Comparison for Balancing Norms*

<i>Balancing Norms</i>	Samaria		Judea		Gaza		Sig.**
	N valid	I agree	N valid	I agree	N valid	I agree	
I must respect the law and government decisions even if I personally disagree with them.	118	48.3%	71	67.6%	113	67.3 %	P<.005
The unity of the Jewish people and the existence of the state of Israel are more important than the territories.	96	65.6%	70	74.3%	110	61.8 %	N.S
As a democratic state, Israel must be tolerant of a wide range of different opinions and ways of life.	118	77.1%	78	89.7%	123	88.6 %	P<.05

*Questions were recoded into a binary level of measurement. The above “I agree” percent includes responses “I agree” and “A central tenet of my world view.”

**Statistical significance is estimated using ChiSquare tests comparing the three regions.

An important question is whether this difference in the predominance of balancing norms is also reflected in the settlers’ willingness to actually resist removal. We report in Table 8 the proportion of settlers in each region that said they viewed the reaction either as legitimate or that they intended to act in that manner. For simplicity, we consolidated these responses as “I agree.”

Table 8: Region Comparison for Violent Reaction

<i>Violent Reaction</i>	Samaria		Judea		Gaza		Sig.*
	N valid	I agree	N valid	I agree	N valid	I agree	
Blocking traffic on roads.	118	46.6%	76	23.7%	122	34.4%	P<.005
Piercing tires and damaging vehicles of the army or police.	122	56.1%	77	24.2%	123	19.7%	P<.005
Physical response toward someone who would raise his/her hand to me, or anyone close to me.	123	26.8%	75	6.7%	120	27.5%	P<.005
Physical response against anyone who would participate in uprooting Jews.	120	8.3%	77	None	125	2.4%	P<.01
Violence against Arabs in order to provoke Jewish-Arab conflict.	119	6.7%	77	None	120	2.5%	P<.02
Violent revolt (use of firearms).	120	4.2%	78	None	127	1.6%	N.S

*For the first three reactions, statistical significance is estimated using ChiSquare tests comparing the three regions. It was not possible to conduct such tests because of the low base rate for the last three reactions. In these cases statistical significance is calculated using Fisher's exact tests comparing Samaria and a pooled estimate for Judea and Gaza.

All of the comparisons except for "violent revolt" show a statistically significant difference between the regions. The differences in turn are often large. The Samaria settlers were more likely than others to support violent actions. More than half of the Samaria settlers believed piercing tires and damaging military vehicles was at least a legitimate response, while only 20% of settlers in Gaza concurred. The base rate of agreement in the measures reflecting higher levels of violence is very low overall in all three regions. But, proportionally, a much larger number of Samaria settlers saw

serious acts of violence as legitimate. More than three times as many Samaria settlers than Gaza settlers we studied believed it was appropriate to physically respond to someone enforcing the withdrawal. In turn, Samaria settlers were more than twice as likely as Gaza settlers to believe in the legitimacy of instigating violence against Arabs in order to provoke Jewish/Arab conflict. While the absolute numbers here are very small (8.3% versus 2.4%; 6.7% versus 2.5%), Samaria settlers in our sample are more likely to endorse violent reactions to withdrawal.

These findings suggest that countervailing norms are less prevalent in the Samaria region, and that given our perspective of normative balance, the likelihood of violence is also greater among the settlers we studied in those areas. Our qualitative interviews also suggest that the potential for violence in Samaria and the West Bank is greater than what we observed in the Gaza Strip. Indeed, we find that there are small groups of settlers in these areas that seem to have few balancing values, and who appear to be especially prone to violent resistance. For example, one Samaria settler told us:

We must fight hard for the Land of Israel. We shouldn't give it to the Arabs. We must fight until the end . . . we must fight like crazy people. The youth, who went to prison this week: it's heroism! We should act. There must be violence . . . Jews are taken out of their homes. A man with respect must fight for his home.¹⁰³

This narrative differed markedly from those we commonly heard in our conversations with settlers in the Gaza Strip, where few settlers expressed support for serious violence. Moreover, we found that some settlers from the West Bank not only expressed a lack of support for the norm of the unity of the people of Israel, but alienation and even hatred of other Israelis who had decided to uproot settlements. As one settler told us:

Did you hear what I say—I hate those people [Israelis for withdrawal]. If I hate someone, how do you think I should treat him? I feel cheated. I feel like they stole what is mine. How [do] you think I should feel? Being a good guy? We will take the gloves off!¹⁰⁴

¹⁰³ Interview by research staff with Anonymous Settler, in Samaria (May 20, 2005).

¹⁰⁴ Interview by research staff with Anonymous Settler, in Judea (Mar. 30, 2005).

VII. DISCUSSION AND CONCLUSIONS

We began with the question of why there was so little violence by settlers in the August 2005 withdrawal from the Gaza Strip. Our conclusion, based on scores of interviews and a survey of settlers, is that the lack of violence in the Gaza Strip was not surprising. This was not because the Gaza settlers were moderate in their beliefs. On the contrary, we have much evidence that settlers there were committed to ideas that could easily have led to violence. As we illustrated earlier, most settlers believed that uprooting settlements would prevent the messianic redemption of Israel. Most argued that those who planned the withdrawal would be judged as traitors. And most thought that evacuating settlements constituted a sin so great that a Jew should be willing to be killed rather than comply with it. For them, settlement evacuation was tantamount to murder or apostasy.

In this sense, the settlers in Gaza were radicals whose beliefs clearly created a potential for violence. But we also found that balancing norms were strongly held values in the settlements. Almost two-thirds of the settlers we surveyed told us that they believed that the unity of the Jewish people and the existence of Israel were more important than the territories. The settlers also showed strong respect for democratic principles. A similar majority said that Israel as a democratic state must be tolerant of a wide range of opinions, and agreed that they should respect government decisions even if they disagree with them.

In this context, it is not hard to understand the lack of violent resistance to the security forces during the withdrawal from the Gaza strip. The settlers provide a good example of what we have described as a model of normative balance. While they had strong ideological beliefs that might naturally lead to violence, they held equally strong balancing norms that militated against it. Accordingly, in our survey, almost none of the Gaza settlers said that they supported violent resistance in any form. Our qualitative interviews painted a similar portrait. Of course, part of the credit for the lack of violence must be given to the government, army and police, who worked hard to reinforce the idea that all Israelis are all part of one nation, thereby buttressing the balancing norms that were already part of the Gaza settlers' worldview.

We also asked what our data suggest regarding future withdrawals in the West Bank. It is a tricky question because it is reasonable to assume that the withdrawal from the Gaza Strip was a constitutive event which had the potential to modify settler beliefs and norms. The disengagement might have led settlers to believe that the strategy of primarily non-violent resistance that they employed was a mistake (since the withdrawal was not prevented), thereby pushing them to adopt more forceful methods of struggle in the

future. Other settlers may draw the opposite conclusions and shift efforts to build more connections with other Israelis. There is a clear need for further research in order to study the ideology and beliefs of settlers following the disengagement. Our research was limited to a specific strongly ideological group of settlers in the West Bank and Gaza Strip at the time of the disengagement.

With these caveats in mind, we think that our data provide important insight into what is likely to happen in future withdrawals. Our interviews and surveys in these settlements suggest that the idea of normative balance which is likely to discourage violence is salient not only for Gaza settlers but also for those in Judea and Samaria. However, we did find significant differences between settlers in the three regions in their support of violent reactions to future withdrawals. These findings are troubling in terms of what they suggest about future withdrawals, should they occur.

The differences were most pronounced in the settlements we studied in Samaria, the northern part of the West Bank, where we found settlers significantly less likely to express balancing norms. For example, fewer believed that they should respect and obey government decisions even if they disagree with them. Not surprisingly, we also found more willingness to support violence, although the vast majority of settlers opposed serious violent resistance. Our research, then, suggests that future withdrawals are likely to meet with more rather than less violence, a conclusion reinforced by the February 2006 clashes between settlers and security forces in the illegal settlement of Amona. The normative balance that ensured a peaceful withdrawal from Gaza is less apparent in the West Bank, at least in settlements we examined in Samaria.

There is also evidence of a growing confrontational attitude on the part of the authorities toward the settlers. A government commission concluded that security forces used excessive force in removing settlers in Amona.¹⁰⁵ The newly appointed Defense Minister and head of the Labor Party, Amir Peretz, has also taken a much tougher line with settlers, vowing in June of 2006 that "the evacuation of the outposts will start in two weeks . . . and we will start with outposts in which there is violence towards policemen, soldiers and Palestinian citizens."¹⁰⁶

¹⁰⁵ THE KNESSET INVESTIGATIVE COMMITTEE INTO AMONA EVENTS, INTERIM REPORT, *supra* note 100, at 16–27.

¹⁰⁶ MA'ARIV NEWS ONLINE, *When Freedom of Expression is Taken, Violence is Likely to Occur*, June 25, 2006, <http://www.nrg.co.il/online/1/ART1/439/825.html>. Quoting Defense Minister Amir Peretz: "Maintaining Law and Order is the first priority for me . . . the evacuation will take place in these places where settlers take the law into their own hands and do not respect the rule of law in Israel." *Id.* The article continues:

Our research suggests that adopting a tough “zero-tolerance” approach might backfire, because it will tend to reduce the influence and legitimacy of balancing norms among the broader settlement population. Our data also suggest that the present government would be well served to heed the approach of its predecessor. The more the government emphasizes connections between settlers and other Israelis, the more balancing norms are reinforced that prevent violence.

While we think that our data help to understand the potential for violence and its control among settlers in Israel, we think they also have a broader set of implications for prevention of political violence. Evidence of the influence of countervailing values can be found in other national settings. For example, in a recent United States Institute of Peace study in India examining deadly ethnic riots, the authors found that lack of inter-ethnic local networks (between Hindu and Muslim) was the single most important predictor of whether a community would respond violently to ethnic provocation.¹⁰⁷ That study suggests that a strategy that focuses on building stronger inter-ethnic civic associations at the community level might prove effective in reducing the level of violent ethnic riots in India.¹⁰⁸ Its findings are certainly consistent with the perspective of normative balance that we have proposed.

Our data suggest that violence by communities with radical ideologies can be constrained by encouraging countervailing norms and strong ties to the larger societies in which these groups are found. Moreover, this approach of engagement and contact appears to restrain violence even when support for the core ideologies of violence remains unchanged. We think our data point to the significance of normative balance as a method for reducing violence and conflict.

This approach appears to run counter to other recent ideas to counteracting the roots of terrorism, which emphasize the importance of

[R]ight-wing followers are furious due to the prime minister’s call for “restriction orders” for right-wing activists, who are characterized by the security services as “dangerous.” . . . The right-wing activist Itamar Ben Gvir said that “the government ‘mouth closing’ will not help,” and his colleague, Baruch Marzel, said that “Peretz is stimulating hatred and polarization,” and that “it might lead to bloodshed.”

Id. (translated from Hebrew by the authors)

¹⁰⁷ UNITED STATES INSTITUTE OF PEACE, LETHAL ETHNIC RIOTS: LESSONS FROM INDIA AND BEYOND 8 (February 2003), available at <http://www.usip.org/pubs/specialreports/sr101.pdf>.

¹⁰⁸ *Id.* at 10–11.

changing the beliefs of communities from which terrorism emerges.¹⁰⁹ Our study suggests a different approach that is perhaps more realistic given the strongly held beliefs of groups like Jewish settlers. In this approach, one would try to build countervailing norms to restrain violence rather than reform and change the core ideologies of radical groups.

¹⁰⁹ See Philip C. Wilcox, Jr., *The Terror*, in STRIKING TERROR: AMERICA'S NEW WAR 5, 11 (Robert B. Silvers & Baraba Epstein eds., 2002) supporting an approach that would emphasize common values in combating international terrorism:

We should also search for ways to strengthen the common bonds between Western values and Islam in order to combat the notion of a "clash of civilizations" and to weaken the Islamic extremist fringe that hates the West and supports terrorist actions. Such new departures in US foreign policy would require devoting far greater resources to supporting a more engaged, cooperative, and influential American role abroad. Redefining national security and counterterrorism in this broader sense is the most promising way to fight the war against terrorism.

Id. at 11–12.

